

PLEASE RECORD AND RETURN TO:
Susan J. Blackston, City Clerk
P.O. Box 3006
Lodi, CA 95241-1910

RESOLUTION NO. 2001-230

A RESOLUTION OF THE LODI CITY COUNCIL VACATING
PLEASANT AVENUE, FROM ELM STREET NORTH
TO THE ALLEY

=====

WHEREAS, this City Council acting in accordance with provisions of Part III of Division 9 of the Streets and Highways Code of this State, did on the 5th day of September, 2001, pass and adopt Resolution of Intention No. 2001-213 therein declaring the intention of said City Council to vacate that portion of Pleasant Avenue, from Elm Street north to the alley, Lodi, California, County of San Joaquin, State of California, reserving, however, and excepting from the vacation, a permanent 5-foot public utility easement with an 11.5-foot overhead easement be maintained along the north line of the street abandonment, and right therein to construct, maintain, repair, and operate lines for public utilities, both publicly and privately owned, in, over, and across said street, and more particularly described as follows, to wit:

Pleasant Avenue, from Elm Street north to the alley

WHEREAS, said notice of said intended vacation was regularly given by publication and by posting, both in time, form, and manner as required by law as is evidence by affidavits on file and on record in the office of the City Clerk of the City of Lodi; and

WHEREAS, in accordance with the provisions stated herein and also contained in the posted notices of the adoption of said resolution, notice was given that a public hearing would be held before the City Council in the City Council Chambers, Carnegie Forum, 305 West Pine Street, Lodi, California, beginning at 7:00 p.m. on Wednesday, October 3, 2001, where and when any person interested in or objecting to said vacation could appear and be heard in relation thereto; and

WHEREAS, at that time and place, a public hearing was held and conducted and testimony received for and against the vacation contemplated; and

WHEREAS, at the October 3, 2001 City Council meeting, from the evidence submitted, the City Council of the City of Lodi did determine that said portion of Pleasant Avenue, from Elm Street north to the alley, is unnecessary for present or future public use and did so find and declare; and

WHEREAS, the Planning Commission did find that the subject vacation was consistent with the General Plan of the City of Lodi.

NOW, THEREFORE, BE IT RESOLVED, that pursuant to the findings and under the authority of Section 8323 of the Streets and Highways Code of the State of California, that there is hereby abandoned that Pleasant Avenue, from Elm Street north to the alley, Lodi, California, and more particularly described as follows:

Pleasant Avenue, from Elm Street north to the alley, Lodi, California, as shown on Exhibit A attached hereto.

Reserving, however, and excepting from the vacation, a permanent 5-foot public utility easement with an 11.5-foot overhead easement be maintained along the north line of the street abandonment, and right therein to construct, maintain, repair, and operate lines for public utilities, both publicly and privately owned, in, over, and across said street.

Reference is hereby made to a map or plan on file in the office of the City Clerk of the City of Lodi for the particulars as to the proposed vacation.

Dated: October 3, 2001

=====

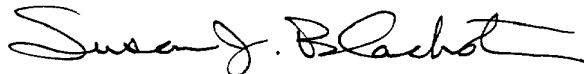
I hereby certify that Resolution No. 2001-230 was passed and adopted by the City Council of the City of Lodi in a regular meeting held October 3, 2001, by the following vote:

AYES: COUNCIL MEMBERS – Hitchcock, Howard, Pennino and Mayor
Nakanishi

NOES: COUNCIL MEMBERS – None

ABSENT: COUNCIL MEMBERS – Land

ABSTAIN: COUNCIL MEMBERS – None



SUSAN J. BLACKSTON
City Clerk

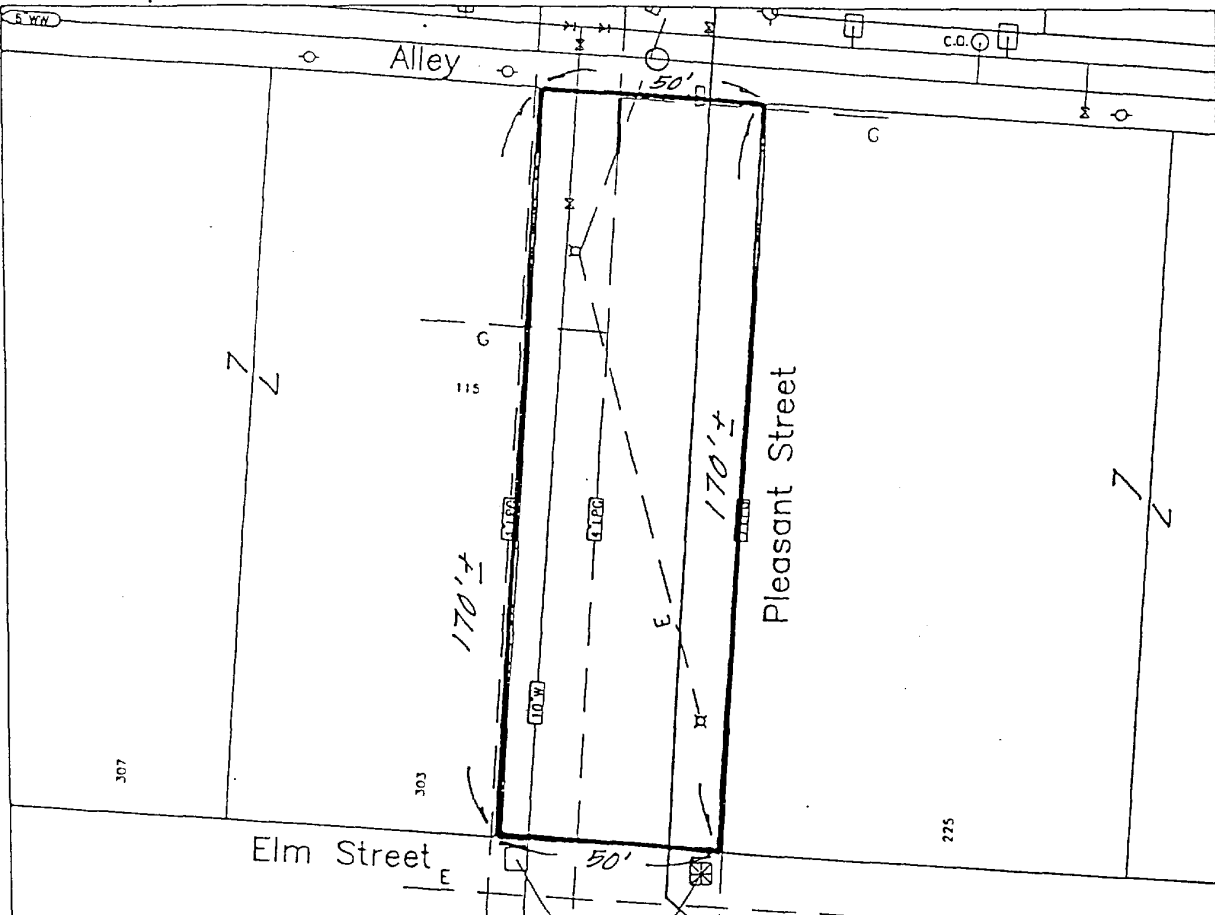
EXHIBIT A



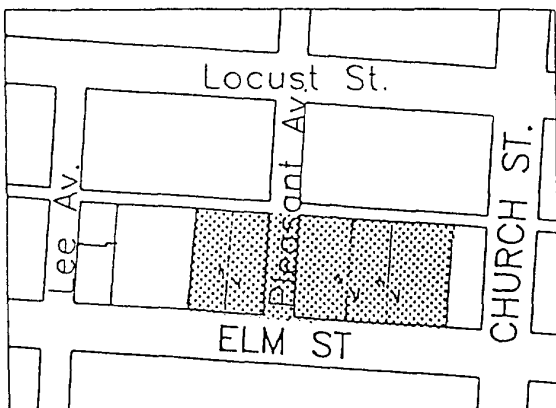
CITY OF LODI

PUBLIC WORKS DEPARTMENT

PLEASANT AVE. ABANDONMENT



SCALE: 1" = 40'



SCALE: 1" = 300'